

## REMARKS

Claims 1-4 and 7-11 are pending. New dependent claims 10-11 have been added, support for which can be found on page 7, lines 26-28 in the original specification, for example. Applicants respectfully request reconsideration of the present application.

### **Claim Rejection – 35 U.S.C. §102(e)**

Claims 1, 4 and 7 stand rejected under 35 U.S.C. §102 (e) as anticipated by Nagai (U.S. Patent 6,636,587). This rejection is respectfully traversed.

In the instant application, the Patent Office asserts that Nagai teaches all of the claimed features of independent claims 1 and 7. Applicants respectfully disagree.

Nagai is directed to a CTI system which uses various communication means, such as, facsimile, PC, to give a user a communication environment in which multimedia information such as voice, text and image is allowed to be exchanged and in which information transmission is hardly limited regardless of difference in information expression format between the sender and receiver. The format of information for the sender is automatically converted to the format of information for the receiver when there is a difference in the information formats between both sides.

The Office Action indicates that the disclosure contained in column 18, line 67 - column 20, line 15 of Nagai reads on Applicants' claimed feature of a CTI control module for generating an event in response to a button signal input through the CTI board to control the CTI board as a job unit comprising CTI control functions for

performing a basic telephone action. However, upon careful review, Nagai does not teach the aforementioned features.

As best understood, Nagai discloses a PBX/ACD control program detecting a dial call and informing a system execution management program of the call, wherein the system execution program starts a contact manager program. See, Nagai at column 18, lines 14-27. Additionally, Nagai discloses the PBX/ACD control program detecting a message transmission and informing the system execution management program of the message, wherein the system execution program starts a program, corresponding to the sending means in the sending source, which performs a process of receiving the message and delivering the process to another program. See, Nagai at paragraph bridging columns 18 and 19.

In neither scenario does Nagai disclose controlling the CTI board as a job unit comprising CTI control functions for performing a basic telephone actions. Although, Nagai discloses a CTI server, the operation of the CTI control functions is not apparent. As Applicants have noted, CTI control functions are separately and repeatedly called in order to perform basic telephone actions. See, Specification at page 6, lines 20-22. There is no support in Nagai to establish that the CTI functions operate otherwise.

On the contrary, Applicants specifically claim controlling the CTI board as a job unit comprising CTI control functions for performing basic telephone actions to overcome the disadvantages of separately and repeatedly calling the CTI control functions to perform basic telephone operations.

Furthermore, Applicants have clearly defined a job unit as a sequence of CTI control functions. See, Specification at page 7, line 16. Where an explicit definition

is provided by Applicants for a term, that definition will control interpretation of the term as it is used in the claim. MPEP 2111.01, IV citing to *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999).

Additionally, Nagai does not teach,

a main control module for controlling an action of the CTI control module in accordance with a predetermined interpretation scenario that includes a current state conversion action selected according to a current state and in response to the event generated in the CTI module, and a basic telephone action to be executed at a next state, wherein the main control module includes an interpretation scenario management section for selecting the current state conversion action and the basic telephone action for the next state in accordance with the predetermined interpretation scenario when the event is generated in the CTI module, and a state conversion section for converting the current state into the next state in response to the current state conversion action selected by the interpretation scenario management section.

The Office Action on page 5 indicates the following:

a main control module for controlling an action of the CTI control module in accordance with a predetermined interpretation scenario that includes a current state conversion action selected according to a current state and in response to the event generated in the CTI module and a basic telephone action to be executed at a next state (column 18 line 67 - column 21 line 65, the system execution management program (main control module) controls the telephony agent program and the PBX/ACD program (part of the CTI control module), where the telephony agent program routes a transmission, for example to the receiver's telephone (basic telephone action), that satisfies contact conditions (predetermined interpretation scenario) based on the coincident contact adjustment state (current state conversion action) and the PBC/ACD program detection and notification of receipt of a transmission message). as stated in the office action dated April 14, 2008, page 5.

It is respectfully submitted that this reasoning is flawed for the following reasons:

1) The Office action does not identify "an action" consistent with the meaning defined by Applicants. See, Specification at page 9, lines 17-21. The claimed invention calls for "a main control module for controlling an action of the CTI control module, etc." An action is defined in the claims as an action of the CTI control module in accordance with a predetermined interpretation scenario that includes a current state conversion action selected according to a current state and in response to the event generated in the CTI module, and a basic telephone action to be executed at a next state.

2) The coincident contact adjustment state is not "an action" and thus cannot be a current state conversion action.

3) Even if, *arguendo*, the coincident contact adjustment state could be considered "an action", it is not selected according to a current state and in response to the event generated in the CTI module and a basic telephone action to be executed at a next stage. The coincident contact adjustment state is specified as valid or not by the system execution management program. See, Nagai at col. 19, lines 31-40. Nagai discloses that the system execution management program retrieves opened main telephone number or opened mail address on the basis of the receiver telephone number or receiver mail address stored in the work memory and specifies a coincident contact adjustment state. This process is not analogous to making a selection according to a current state and in response to the event generated in the CTI module and a basic telephone action to be executed at a next stage.

Further, the Office Action indicates on pages 5-6 the following:

wherein the main control module includes an interpretation scenario management section for selecting the current state conversion action and the basic telephone action for the next state in accordance with the predetermined interpretation scenario when the event is generated in the CTI module, and a state conversion section for converting the current state into the next state in response to the current state conversion action selected by the interpretation scenario management section (column 18 line 67 - column 21 line 65, the system execution management program uses a contact manager (interpretation scenario management section) which includes user contact information indicating contact conditions (predetermined interpretation scenario), such as the sending and receiving devices. Once the PBX/ACD program provides a notification of a received transmission (event), the system execution management program uses the contact manager and the telephony agent program to determine the contact conditions and check for needed media conversions, depending on the sending and the receiving devices and the type of message received, before forwarding the transmission to the receiver (telephone action for the next state). as stated in the Office Action dated April 14, 2008, pages 5-6.

Again, it is respectfully submitted that this reasoning is flawed for the following reasons:

1) Nagai does not disclose the contact manager selecting the coincident contact adjustment state.

2) As noted above, the coincident contact adjustment state is not selected in accordance with the predetermined scenario interpretation scenario when the event is generated in the CTI module. In Nagai's disclosure, the system execution management system specifies the coincident contact without regard to the contact conditions. See, Nagai at column 19, lines 31-52. The contact conditions are checked/evaluated after the coincident contact adjustment state is specified. See, Nagai at column 20, lines 18-67; column 21, lines 1-42.

3) There is no support in Nagai for a state conversion section for converting the current state into the next state in response to the current state conversion action selected by the interpretation scenario management section.

To properly anticipate a claim, the document must disclose, explicitly or implicitly, each and every feature recited in the claim. See Verdegall Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Nagai fails to disclose each and every feature recited in the claimed invention.

Accordingly, for at least these reasons, Applicants submit that Nagai does not anticipate claim 1. Thus, Applicants respectfully requests that the rejection under 35 U.S.C. §102(e) of independent claim 1, and of claim 4, which depends therefrom, be withdrawn. Further, for reasons analogous to those presented for claim 1, Applicants submit that Nagai does not anticipate claim 7. Thus, Applicants respectfully request that the rejection under 35 U.S.C. §102(e) of independent claim 7 be withdrawn.

#### **Claim Rejection – 35 U.S.C. §103(a)**

Claims 2, 3, 8 and 9 have been rejected under 35 U.S.C. §103(a) for allegedly being unpatentable over Nagai in view of U.S. Patent No. 6,286,033 to Kishinsky et al. Applicants traverse the rejection for at least the following reasons.

For at least the same reasons presented herein with respect to independent claim 1, Applicants submit that claims 2 and 3, which depend therefrom, are patentable over Nagai and that Kishinsky does not supply, and is not purported to supply, the teachings missing from Nagai. At a minimum, neither Nagai nor Kishinsky teaches or suggests "a main control module for controlling an action of the CTI control module in accordance with a predetermined interpretation scenario that

defines basic telephone actions to be executed at a next state in response to events generated at a current state," as recited in parent claim 1. Thus, Applicants respectfully request that the rejection under 35 U.S.C. §103(a) of claims 2 and 3 be withdrawn.

Further, for analogous reasons, Applicants submit that claims 8 and 9, which depend from claim 7, are also patentable over Nagai and that Kishinsky does not supply, and is not purported to supply, the teachings missing from Nagai. At a minimum, neither Nagai nor Kishinsky teaches or suggests "an interpretation transmission step of controlling the CTI board in accordance with the interpretation scenario and transmitting the translated voice to the other party in accordance with the interpretation scenario, wherein the predetermined interpretation scenario defines basic telephone actions to be executed at a next state in response to events generated at a current state," as recited in parent claim 7. Thus, Applicants respectfully request that the rejection under 35 U.S.C. §103(a) of claims 8 and 9 be withdrawn.

**CONCLUSION**

Based on at least the foregoing amendments and remarks, Applicants submit that all pending claims are allowable, and this application is in condition for allowance. Accordingly, Applicants request a favorable examination and consideration of the instant application. In the event the instant application can be placed in better form, Applicants request that the undersigned attorney be contacted at the number below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: July 14, 2008

By:

A handwritten signature in black ink, appearing to read 'Charles F. Wieland III', is written over a horizontal line.

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